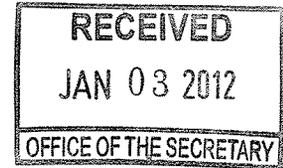


UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION  
December 30, 2011



ADMINISTRATIVE PROCEEDING  
FILE NO. 3- 14458

In the Matter of  
LEILA C. JENKINS

RESPONDENT'S MOTION FOR DEFAULT  
JUDGMENT AGAINST SEC'S DIVISION  
OF ENFORCEMENT  
MOTION FOR SUMMARY DISPOSITION

Respondent Leila C. Jenkins ("Jenkins") files this Motion for Default Judgment against the SEC's Division of Enforcement (DOE) Motion for Summary Disposition due to the refusal of the DOE to follow the order of Administrative Law Judge Cameron Elliot to serve its Motion to Jenkins. The DOE remains in contempt of Judge Elliot's order. Additionally, the DOE reveals that service requirements for the documents in Administrative Proceedings (AP) are governed by SEC Rule of Practice 150 which also requires service of documents. The DOE has violated Rule 150 to the great disadvantage of the Respondent, in addition to their complete disregard of F.R.C.P. 4 in the Federal District of RI Court case.

The original filing of the Complaint in March, 2009 and Judgments of June, 2011 also remain unserved to Defendants, rendering all proceedings from the Court case invalid. Not only has the DOE refused to serve Jenkins at her address of record in the AP, it claims that she has been served at her former RI address where nothing arrived for receipt until December 29, 2011, which is not in time for it to be resent to her correct address in time to meet the December 30, 2011 deadline. Additionally, DOE staff claim to have served Jenkins with the original order of proceedings against her by certified mail at the former RI address and that they have proof of such service, when they do not. Jenkins never signed for anything from any department of the SEC at that address. In each instance of the lack of service, Judge Elliot has very kindly extended the schedule for the proceedings so that Jenkins would have a chance to respond. Now Judge Elliot has had to extend it again, ordered that any documents be served to both the address of record and the former RI address and the DOE does neither in a timely fashion, while claiming they have. When the DOE claimed that they served the Defendants in the Court case, they misled the District Court by producing a

summons that stated that service had occurred by email. No such email was ever received by counsel authorized to do so for the Defendants. Eleven months after the fact, it was discovered that the DOE had fabricated the "service" email, in fact two versions of it that did not even match each other, and two DOE attorneys were dishonest in affidavits provided to the Court saying that service had been completed, when it had not. The first time Jenkins ever saw a copy of the summons for the Court case was when the American Express (AmEx) company faxed it to her in June 2009 as an explanation as to why her credit had been cancelled. The Head of Credit at AmEx told Jenkins that his company had mysteriously received a copy of the Court filing the day after it had been filed with a note on it that credit should be cancelled. He said it had not arrived with a subpoena. While the DOE cannot be bothered to notify Jenkins of the Court Case, they appear to have time to fax copies of it to an undetermined number of her creditors, hoping to put her at a significant disadvantage, which they accomplished. There is no doubt that the DOE has the correct service address for the AP, as it has been provided a number of times and they did serve Jenkins with their Opposition to her Motion for Summary Disposition. The Opposition document was mailed on December 16, 2011 and arrived at 1745 on December 23, 2011.

In the event that Judge Elliot is not able to award Summary Disposition in favor of Respondent Jenkins at this time in the AP, she opposes every point made on every subject put forward in any Motion for Summary Disposition filed by the DOE. DOE staff behavior has been indicative of gross prosecutorial misconduct since the beginning of the unwarranted and bad faith investigation of Jenkins and Locke Capital Management, Inc. ("Locke") due to a discrepancy found in January, 2009. The DOE's Opposition to Jenkins's Motion is replete with allegations that Jenkins is trying to re-litigate issues from the original Court case. This is not possible since the Court case has not yet been litigated. The Court case should never had progressed due to lack of service and only did so because the DOE repeatedly misled the Court on this and many other issues as described in many filings from Jenkins for the Court case and the AP.

Further to this Motion for Default Judgment in favor of Jenkins, the DOE's Opposition Motion alleges that a judgment of injunctive provisions has been entered against Jenkins and Locke which are appropriate and in the public interest. However, the judgments in question state that they apply to "all persons....who receive actual notice of the Final Judgment by personal service or otherwise...." Neither the District Court nor the DOE served or "noticed" any judgments by any

means on Jenkins or Locke, so this allegation is also contested. What is clearly NOT in the public interest are the corrupt and dishonest efforts of a US regulatory agency to persecute an innocent U.S. citizen, who has done nothing but benefit many clients over the years by providing excellent investment performance, achieved with very low risk. The DOE even comes up with an internal finding that the Respondent cannot challenge validity of judgment and evidentiary rulings of the District Court, rejecting Respondent's arguments concerning alleged misconduct by Division staff, and ordering sanctions. That's absurd and creates a significant conflict between the ALJ and DOE functions of the SEC - as Judge Pauley says of the SEC in his SDNY Court room "Who's guarding the guardians?", referring to just some of the many huge mistakes made by DOE staff. If it wasn't for all of the various and sundry acts of gross prosecutorial misconduct in the Court case against the Defendants, and now furthered in the AP, there would be no case in existence against either Jenkins or Locke.

Whatever the DOE has filed in this AP should be rejected due to the grievous errors made. Jenkins requests that Summary Disposition of this matter be awarded to her, with no action taken against her or Locke, and that the DOE be defaulted as they remain in contempt of Judge Elliot's order and SEC Rule 150.

Respectively submitted,



Leila C. Jenkins  
by Power of Attorney  
Kathleen J. Myer (aka Kathleen J. Ennen)